

**A SUBSTITUTE ORDINANCE (2)
BY TRANSPORTATION COMMITTEE**

A SUBSTITUTE ORDINANCE AMENDING CHAPTER 22, ARTICLE III, DIVISION 7, SECTION 22-202 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, ON BEHALF OF THE DEPARTMENT OF AVIATION GROUND TRANSPORTATION DIVISION, FOR THE PURPOSE OF RESTRUCTURING AND INCREASING THE FEES THE CITY ASSESSES THE AIRPORT'S COMMERCIAL GROUND TRANSPORTATION OPERATORS; AND FOR OTHER PURPOSES.

WHEREAS, Hartsfield-Jackson Atlanta International Airport (the "Airport") is the world's busiest airport, responsible for facilitating the movement of 90 million passengers in 2008; and

WHEREAS, the Airport is working on a multi-billion dollar expansion project, which includes an International Terminal, a Consolidated Rental Car Facility; and the expansion of the Central Passenger Terminal Complex; and

WHEREAS, the Airport's dramatic expansion will increase its capacity and efficiency and require greater operational flexibility in order to meet the growing and evolving needs of the traveling public; and

WHEREAS, Chapter 22, Article III, Division 7, Section 22-202 ("§22-202") of the Code of Ordinances of the City of Atlanta ("City"), sets forth the schedule of fees ("Fees") the City assesses Airport commercial ground transportation operators; and

WHEREAS, the Fees have not been adjusted in more than 20 (twenty) years and, currently, the revenues received from such Fees are not sufficient to cover the annual costs of operating the Department of Aviation's Ground Transportation Division.; and

WHEREAS, the City engaged a firm to analyze the current Fees and to recommend appropriate user fees to cover operating cost; and

WHEREAS, the firm determined that the total annual cost of providing ground transportation services at the Airport is \$2.5 million, while the total revenues received from Fees are approximately \$1,000,000; a deficiency of 61%; and

WHEREAS, accordingly, the firm has recommended the City restructure and increase the Fees in order to eliminate the subsidy provided by the City and to appropriately cover the annual costs of operating the Department of Aviation's Ground Transportation Division; and

WHEREAS, the Airport has implemented an Automatic Vehicle Identification system to track, manage and collect fees to recovery operating cost and create a more efficient ground transportation operation by reducing roadway congestion and promoting environmental sustainability; and

WHEREAS, the City has had several informational sessions with ground transportation providers and the local airport hotel association; the limousine association; Atlanta Convention and Visitors Bureau; taxi association and other commercial ground transportation operators to clarify and address concerns regarding the Automatic Vehicle Identification System and the associated fees; and

WHEREAS, accordingly, the City desires to restructure and increase the Fees to appropriately cover the annual costs of operating the Department of Aviation's Ground Transportation Division.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That Chapter 22, Article III, Division 7, Subdivision 1, Section 22-202 of the Code of Ordinances of the City of Atlanta, Georgia, be repealed in its entirety and replaced with the following:

Sec. 22-202. Fees.

This section shall not apply to Taxicabs as defined under chapter 162, article II of this Code.

This Ordinance shall govern the assessment of fees against all commercial ground transportation operators at the airport:

(a) *Application Fee.* All applications for permits under this division shall be accompanied by a payment of \$50.00 as an application processing fee.

(b) *Permit Fee.*

- (1) All commercial ground transportation operators shall pay an initial \$150.00 Permit Fee upon approval of the company's application for service and for the administrative function of processing a permit for the company's use of the airport roadways and ground transportation facilities.
- (2) All commercial ground transportation operators shall pay an annual Permit Renewal Fee in the amount of \$150.00 by December 30th of each year.

- (3) Any company that fails to renew its Permit by December 30th of each year shall be assessed a late fee in the amount of \$300.00.

(c) *Per Trip User Fee*

- (1) *Assessment of Fee.* All commercial ground transportation operators shall pay a Per Trip User Fee each time its vehicle(s) enters the airport for the purpose of loading customers. Fees shall be calculated based on the vehicle classification schedule as set forth in this section.

(2) *Vehicle Classification Schedule*

- (i) Class I Vehicles (maximum carrying capacity of up to 6 passengers):

- a. \$1.00 for the first 60 minutes at the airport
- b. \$1.00 for each additional 30 minutes at the airport

- (ii) Class II Vehicles (maximum carrying capacity of up to 14 passengers):

- a. \$1.25 for the first 15 minutes at the airport
- b. \$1.00 for each additional 30 minutes at the airport

Note: any limousine carrier using Class II vehicles shall be given 60 minutes for chauffeur greeting and vehicle loading with 30 minutes dwell time thereafter

- (iii) Class III Vehicles (maximum carrying capacity of up to 22 passengers):

- a. \$1.50 for the first 30 minutes at the airport
- b. \$1.00 for each additional 15 minutes at the airport

- (iv) Class IV Vehicles (maximum carrying capacity of up to 55 passengers):

- a. \$5.00 for the first 30 minutes at the airport
- b. \$2.50 for each additional 10 minutes at the airport

(3) *Alternative Fuel.*

- (i) Commercial ground transportation operators using alternative fuels, including compressed natural gas, liquid natural gas and other alternative fuels acceptable to the city in at least 20% of its

registered fleet, shall receive a discount of 50% of its foregoing Permit Fee.

- (ii) All vehicles for which an alternative fuel discount has been made or granted shall be subject to inspections by the city, with or without advance notice, to verify that the vehicle is an alternative fuel vehicle.

(d) Automated Vehicle Identification (AVI) Tag Fee.

- (1) All commercial ground transportation operators must affix an Airport issued AVI Tag to each vehicle operating at the Airport in order to record the number of trips taken by commercial ground transportation operators at the Airport.
- (2) The fee for an AVI Tag shall be \$50.00.
- (3) The AVI Tag replacement fee shall be \$75.00.

SECTION 2: That all existing Ordinances or parts of Ordinances in conflict herewith shall be waived to the extent of the conflict.

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WHEREAS, Hartsfield-Jackson Atlanta International Airport (the "Airport") is the world's busiest airport, responsible for facilitating the movement of 90 million passengers in 2008; and

WHEREAS, the Airport is working on a multi-billion dollar expansion project, which includes an International Terminal, a Consolidated Rental Car Facility; and the expansion of the Central Passenger Terminal Complex; and

WHEREAS, the Airport's dramatic expansion will increase its capacity and efficiency and require greater operational flexibility in order to meet the growing and evolving needs of the traveling public; and

WHEREAS, Chapter 22, Article III, Division 7, Section 22-202 ("§22-202") of the Code of Ordinances of the City of Atlanta ("City"), sets forth the schedule of fees ("Fees") the City assesses Airport commercial ground transportation operators; and

WHEREAS, the Fees have not been adjusted in more than 20 (twenty) years and, currently, the revenues received from such Fees are not sufficient to support the Department of Aviation's Ground Transportation Division; and

WHEREAS, the City engaged a firm to analyze the current Fees and to recommend appropriate user fees to cover operating cost; and

WHEREAS, the firm determined that the total annual cost of providing ground transportation services at the Airport is \$2.5 million, while the total revenues received from Fees are approximately \$1,000,000; a deficiency of 61%; and

WHEREAS, accordingly, the firm has recommended the City restructure and increase the Fees in order to eliminate the subsidy provided by the City and to appropriately cover the costs of operating the Department of Aviation's Ground Transportation Division; and

WHEREAS, the Airport has implemented an Automatic Vehicle Identification system to track, manage and collect fees to recovery operating cost and create a more efficient ground transportation operation by reducing roadway congestion and promoting environmental sustainability; and

WHEREAS, the City has had several informational sessions with ground transportation providers and the local airport hotel association; the limousine association; Atlanta Convention and Visitors Bureau; taxi association and all other commercial ground transportation operators to clarify and address concerns regarding the Automatic Vehicle Identification System and the associated fees; and

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(b) *Permit Fee.*

- (1) All commercial ground transportation operators shall pay an initial \$150.00 Permit Fee for the administrative function of processing a permit for use of the airport.
- (2) A yearly \$150.00 permit renewal fee shall be assessed to all commercial ground transportation operators renewing a permit.
- (3) A \$300.00 permit renewal late fee shall be assessed to all commercial ground transportation operators who do not renew a permit by its annual expiration date.

(c) *Per Trip User Fee.*

(1) *Assessment of Fee.* All commercial ground transportation operators shall pay a Per Trip User Fee each time they enter the airport for the purpose of loading customers based on the length of time spent at the Airport. Fees shall be calculated based on the vehicle classification schedule as set forth in this section.

(2) *Vehicle Classification.* Vehicle classifications are as follows:

(i) Class I Vehicles (maximum carrying capacity of up to 6 passengers):

- a. \$1.00 for the first 45 minutes at the airport
- b. \$1.00 for each additional 15 minutes at the airport

(ii) Class II Vehicles (maximum carrying capacity of up to 14 passengers):

- a. \$1.25 for the first 15 minutes at the airport
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(iii) Class III Vehicles (maximum carrying capacity of up to 22 passengers):

- a. \$2.00 for the first 15 minutes at the airport
- b. \$1.00 for each additional 15 minutes at the airport

(iv) Class IV Vehicles (maximum carrying capacity of up to 55 passengers):

- a. \$5.00 for the first 30 minutes at the airport
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(3) *Alternative Fuel.*

(i) Commercial ground transportation operators using alternative fuels, including compressed natural gas, liquid natural gas and other alternative fuels acceptable to the city in at least 20% of its registered fleet, shall receive a discount of 50% of its foregoing Permit Fee.

- (ii) All vehicles for which an alternative fuel discount has been made or granted shall be subject to inspections by the city, with or without advance notice, to verify that the vehicle is an alternative fuel vehicle.

(d) *Automated Vehicle Identification (AVI) Tag Fee.*

- (1) All commercial ground transportation operators must affix an Airport issued AVI Tag to each vehicle operating at the Airport in order to record the number of trips taken by commercial ground transportation operators at the Airport.
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Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview:

Caption:

Council Meeting Date:

Requesting Dept.:

B. To be completed by the department :

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.

The Airport currently charges some of the lowest ground transportation access fees in the country and ranks last among peer airports surveyed in terms of average annual revenue of approximately \$1,000,000. This annually does not cover the Airport's operating cost for ground transportation services. A new automated vehicle identification (AVI) system has been installed as part of the Parking Revenue Control System. This new AVI system will facilitate a reliable and secured method of collecting and reconciling all ground transportation access fees to ensure accuracy in cost recovery. Furthermore, the system will allow the DOA to monitor the ground transportation operational performance against real time data.

2. Please provide background information regarding this legislation.

Example: The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.

The Airport is working on a multi-billion dollar expansion project, which includes a International Terminal, a Consolidated Rental Car Facility; and the expansion of the Central Passenger Terminal Complex.

The Airpor's dramatic expansion will increase its capacity and efficiency and require greater operational flexibility in order to meet the growing and evolving needs of the traveling public. The current Fees have not been adjusted in more than 20 (twenty) years and does not cover the operation cost that would give us greater flexibility in meeting the dynamic needs of our traveling public.

3. If Applicable/Known:

- (a) Contract Type (e.g. Professional Services, Construction Agreement, etc):
- (b) Source Selection:
- (c) Bids/Proposals Due:
- (d) Invitations Issued:
- (e) Number of Bids:
- (f) Proposals Received:
- (g) Bidders/Proponents:
- (h) Term of Contract:

4. Fund Account Center:

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery:

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By:

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: Anita Williams

Contact Number: 404-530-6600

Originating Department: Aviation

Committee(s) of Purview: Transportation

Chief of Staff Deadline: 3/17/09

Anticipated Committee Meeting Date(s): 4/01/09

Anticipated Full Council Date: 4/20/09

Commissioner Signature: Maudsl

CAPTION

AN ORDINANCE AMENDING CHAPTER 22, ARTICLE III, DIVISION 7, SECTION 22-202 OF THE CODE OF ORDINANCES OF THE CITY OF ATLANTA, ON BEHALF OF THE DEPARTMENT OF AVIATION GROUND TRANSPORTATION DIVISION, FOR THE PURPOSE OF RESTRUCTURING AND INCREASING THE FEES THE CITY ASSESSES THE AIRPORT'S COMMERCIAL GROUND TRANSPORTATION OPERATORS; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: 98/3/12/09 Reviewed by: 98
(date) (date)

Submitted to Council: _____
(date)

RCS# 2889
4/20/09
3:59 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

| | | | |
|-----------|-------------|-----------|-------------|
| Y Smith | Y Archibong | Y Moore | NV Mitchell |
| Y Hall | Y Fauver | Y Martin | Y Norwood |
| Y Young | Y Shook | Y Maddox | Y Willis |
| Y Winslow | Y Muller | Y Sheperd | NV Borders |

CONSENT II